

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1077, 1187 & 1579
91ST GENERAL ASSEMBLY

Reported from the Committee on Civil and Administrative Law, April 29, 2002, with recommendation that the House Committee Substitute for House Bill Nos. 1077, 1187 & 1579 Do Pass.

TED WEDEL, Chief Clerk

2920L.04C

AN ACT

To repeal section 589.400, RSMo, and to enact in lieu thereof one new section relating to sexual offender registration, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 589.400, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 589.400, to read as follows:

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, [an] **a felony** offense of chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: [kidnapping;] promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; [abuse of a child;] used a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 (5) Any person who is a resident of this state **who has, since July 1, 1979, or is**
17 **hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any**
18 **other state or under federal jurisdiction to committing, or attempting to commit, an offense**
19 **which, if committed in this state, would be a felony violation of chapter 566, RSMo, or a**
20 **felony violation of any offense listed in subdivision (2) of this subsection** and has been or is
21 required to register in another state or has been or is required to register under federal or military
22 law; or

23 (6) Any person who has been or is required to register in another state or has been or is
24 required to register under federal or military law and who works or attends school or training on
25 a full-time or on a part-time basis in Missouri. Part-time in this subdivision means for more than
26 fourteen days in any twelve-month period.

27 2. Any person to whom sections 589.400 to 589.425 apply shall, within ten days of
28 [coming into any county] **conviction, release from incarceration, or placement upon**
29 **probation**, register with the chief law enforcement official of the county in which such person
30 resides **unless such person has already registered in that county for the same offense. Any**
31 **person to whom sections 589.400 to 589.425 apply if not currently registered in their county**
32 **of residence shall register with the chief law enforcement official of such county within ten**
33 **days of the effective date of this section.** The chief law enforcement official shall forward a
34 copy of the registration form required by section 589.407 to a city, town or village law
35 enforcement agency located within the county of the chief law enforcement official, if so
36 requested. Such request may ask the chief law enforcement official to forward copies of all
37 registration forms filed with such official. The chief law enforcement official may forward a
38 copy of such registration form to any city, town or village law enforcement agency, if so
39 requested.

40 3. The registration requirements of sections 589.400 through 589.425 are lifetime
41 registration requirements unless all offenses requiring registration are reversed, vacated or set
42 aside or unless the registrant is pardoned of the offenses requiring registration.